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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

Epic Games Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF RISHI P. SATIA IN
SUPPORT OF EPIC'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED, MDL DKT. NO. 775**

Judge: Hon. James Donato

1 I, Rishi P. Satia, declare as follows:

2 1. I am an attorney admitted to practice law in California and before this Court. I am
3 an associate at Morgan, Lewis & Bockius LLP, counsel of record for Defendants Google LLC,
4 Google Ireland Limited, Google Commerce Ltd., Google Payment Corp., Google Asia Pacific
5 Pte. Ltd., and Alphabet, Inc. (“Defendants” or “Google”) in the above-captioned matter. I submit
6 this declaration in response to Plaintiff Epic Games, Inc.’s (“Epic”) Administrative Motion to
7 Consider Whether Another Party’s Materials Should Be Sealed Relating to Epic’s Opposition to
8 Google’s And Spotify’s Administrative Motions to Seal Trial Exhibits and Portions of the
9 Deposition of Sandra Alzetta filed on November 10, 2023 (MDL Dkt. No. 775) (“Epic’s Motion
10 to Seal”). I have reviewed an under-seal copy of Epic’s Motion to Seal and the exhibits attached
11 thereto. I have personal knowledge of the statements in this declaration, and if called and sworn
12 as a witness, I could and would testify competently hereto.

13 2. After reviewing Epic’s Motion to Seal and the attached exhibits, Google supports
14 sealing the highly confidential and commercially sensitive information cited by Epic on Page 2 at
15 Lines 12-13, and 15 of MDL Dkt. No. 775-2, which is the same type of information that is the
16 subject of Google’s pending Administrative Motion to File Under Seal Trial Exhibits filed on
17 November 7, 2023 (MDL Dkt. No. 750) (“Google’s Pending Motion to Seal”). To avoid
18 burdening the Court with duplicative filings, Google refers the Court to its Pending Motion to
19 Seal (MDL Dkt. No. 750).

20 3. Moreover, I understand that this same highly confidential and commercially
21 sensitive information is addressed by Non-Party Spotify, Inc.’s (“Spotify”) pending
22 Administrative Motion to Seal Portions of Deposition of Sandra Alzetta and Exhibits Thereto
23 filed on November 7, 2023 (MDL Dkt. No. 749). I further understand that on November 17,
24 2023, Spotify also filed a declaration in support of sealing this same highly-sensitive information
25 cited in Epic’s Motion to Seal (MDL Dkt. No. 800).

26 4. Google’s Pending Motion to Seal requests that the Court seal limited portions of
27 Exhibits 1530 and 1532 as well as a narrow excerpt of the Deposition of Sandra Alzetta (Spotify)

(MDL Dkt. No. 750), all of which reveal highly-confidential, non-public deal terms (i.e., specific service fee rates) from Google’s operative User Choice Billing (UCB) agreement with Spotify. As set forth in Google’s Pending Motion to Seal and the Declaration of Christian Cramer submitted in support thereof, the public disclosure of these specific deal terms will have an immediate impact on Google’s ongoing, active negotiations with several developer-customers and thus should be sealed pursuant to the “compelling reasons” standard.

5. Epic’s Motion to Seal (MDL Dkt. No. 775), at Page 2, Line 12 (between “pays” and “to Google when”); Page 2, Line 13 (between “low fee of” and “percent”); and Page 2, Line 15 (between “the” and “of Google”), seeks to reveal precisely the same highly-sensitive commercial deal terms from Google’s UCB agreement with Spotify that Google previously moved to seal and the Court is still considering (MDL Dkt. No. 750). The references to this same highly-sensitive information in Epic’s Motion to Seal should be sealed for the same reasons set forth in Google’s Pending Motion to Seal.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of November 2023, in San Francisco, California.

DocuSigned by:
Rishi P. Satia
B32C1904E688458
Rishi P. Satia